

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Richard Strahan,
Plaintiff

v.

Case No. 22-cv-52-SM
Opinion No. 2022 DNH 124

Sean O'Reilly, et al.,
Defendants,

O R D E R

By order dated September 8, 2022, the court directed plaintiff, Richard Strahan, to show cause why this case should not be dismissed with prejudice for his failure to comply with the court's Case Management Order dated March 4, 2022 (document no. 9), its Sanctions Order dated May 26, 2022 (document no. 42), and Rule 11 of the Federal Rules of Civil Procedure. In response, Strahan has filed a motion for stay of proceedings. With that pleading he has combined an apparent response to the court's show cause order. Local Rule of Civil Procedure 7.1 prohibits combining multiple motions for relief and/or responses in the same pleading, but the court will nevertheless consider Strahan's filing given his pro se status.

Strahan has not shown cause why this case should not be dismissed on the grounds described in the Show Cause Order (document no. 72). Indeed, his response consists of little more

than a declaration that his conduct has been fully within his rights, an assertion that "they [i.e., the staff and judges of this court] started it," and a claim that he is free to behave as he pleases despite the multiple warnings given and notwithstanding the orders directing him to cease on pain of dismissal. See Motion to Stay (document no. 79) at 3.

Having carefully reviewed the record, the court concludes that Strahan knowingly and intentionally violated the court's Case Management Order dated March 4, 2022 (document no. 9) and its Sanctions Order dated May 26, 2022 (document no. 42). Additionally, the court finds that Strahan filed both his "Notice of Intent to Bring Suit" (document no. 43) and his "Notice of Intent to Add Crazy, Corrupt Shyster Judge as a Defendant" (document no. 63) in violation of Rule 11 of the Federal Rules of Civil Procedure. Because such "notices" are entirely unnecessary, and because Strahan has offered no legitimate reason for having made those filings, the court is compelled to conclude that Strahan submitted those papers solely for an improper purpose - that is, in an effort to coerce, threaten, intimidate, and/or harass the then-presiding judge. See, e.g., "Notice of Intent to Bring Suit" (document no. 43) ("I immediately COMMAND you to cease and desist in your bullying and threats of judicial violence against me and IMMEDIATELY

RECUSE yourself from any further supervision over the instant action. If you do not do so by close of business next Tuesday, I will . . . bring[] a Bivens action against you in your individual capacity.").

Conclusion


Plaintiff's Emergency Petition to Enjoin Gag Orders (document no. 73) and his Petition to Stay Proceedings (document no. 79) are denied.

For the reasons discussed, as well as those set forth in greater detail in the court's Show Cause Order, the case is dismissed with prejudice. See Fed. R. Civ. P. 41(b). See also Fed. R. Civ. P. 11(b), (c)(1), and (c)(6). As the court noted previously, "numerous lesser restraints and sanctions have proved decidedly unhelpful in shaping [Strahan's] behavior." Show Cause Order (document no. 72) at 8. See Fed. R. Civ. P. 11(c)(4).

Because this action has been dismissed, the court need not subject Strahan's proposed amended complaint (document no. 78) to preliminary review under Local Rule 4.3(d)(2). Any pending motions not addressed in this order are denied as moot. The

Clerk of Court shall enter judgment in accordance with this order and close the case.

SO ORDERED.



Steven J. McAuliffe
United States District Judge

October 4, 2022

cc: Richard Strahan, pro se
Counsel of Record